



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MIKE FERNANDEZ,

:

08 Civ. 5918 (SHS)

Plaintiff,

:

-against-

:

ORDER

CORRECTION OFFICER ABANDO C.,

:

Defendant.

:

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SIDNEY H. STEIN, U.S. District Judge.

On March 23, 2009, Magistrate Judge Theodore H. Katz issued a Report and Recommendation recommending that this action be dismissed with prejudice for failure to prosecute pursuant to Fed. R. Civ. P. 41(b) and failure to comply with Court orders. As of today, the Court's records indicate that no objections have been received by plaintiff. After a *de novo* review of the Report and Recommendation, the Court adopts the recommendation of Magistrate Judge Katz. Accordingly,

IT IS HEREBY ORDERED that this action is dismissed with prejudice pursuant to Fed. R. Civ. P. 41(b).

Dated: New York, New York
May 1, 2009

SO ORDERED:

A handwritten signature in black ink, appearing to read "Sidney H. Stein".

Sidney H. Stein, U.S.D.J.